



NORTHAMPTON  
BOROUGH COUNCIL  
Planning Committee

## Addendum to Agenda Items Tuesday 8<sup>th</sup> March 2011

### Other Reports

#### ITEM 8

#### St Crispins

Deed of Variation to S106 Agreement

### Items for Determination

#### ITEM 11A

#### N/2010/1037

Change of use from a Public House (Use Class A4) to a Muslim Community & Education Centre (Use Class D1)

#### The Clicker Pub, 1 Collingdale Road

**Representations received from Mr H. Shah acting on behalf of the applicant** commenting on the lack of such facilities and this proposal represents the provision of a self financing and self sufficient scheme that will also provide employment opportunities. A number of services are proposed that include clubs for the elderly; social activities for women and children; charity fund raising events; welfare services; assistance for bereaved families; advice and counselling and language classes.

The applicant has monitored usage at the existing facility over the last six weeks at the busiest period of use (Fridays between 12pm and 2pm) and this has averaged at 52 attendees. Many visitors share cars and this will be continue to be encouraged. The application site includes cycle storage and can also be developed to provide additional parking space if demand requires it. A satisfactory noise assessment has been provided and other legislation also covers noise levels.

The signatories to the petition may also have written letters of objection and so are counted twice. Of the 106 houses within Debdale Road, Silverdale Road and Collingdale Road, only 22 have raised objections. Leafleting of the area has also been carried out. Letters from a wide cross section of the community have also been received in support.

The building has been vacant since March 2010 and no other groups or organisations have attempted to purchase and use it. Community and education centres belong at the heart of communities and all members of the community will be permitted to use the centre for meetings and events.

**A letter of objection has been received from the occupiers of 45 Coaching Walk** as it is considered that the proposed use is not suitable in this location, given the area's character and the site could be better used for alternative uses. The proposal will also create additional congestion.

**An objection from a Mr Alex Graves (address unknown)** has been submitted, commenting on the potential availability of the centre to all groups.

**Correspondence has been received from the occupiers of 6 Silverdale Road** commenting upon recent examples of congestion within the vicinity, which has resulted in damage to the pavement by delivery vehicles. The car park of the Clicker Public House is used by a number of people to park when visiting the nearby school. Photographs of the parking situation within Silverdale Road, Debdale Road and the application site have been provided and a selection of which are included in the Committee presentation.

**ITEM 11B**

**N/2010/1092**

Erection of 40 dwellings with associated parking and play area (as amended by revised plans received on 9th February 2011)

**Land adjacent to covered reservoirs, Boughton Green Road**

Revised plans were submitted on 28<sup>th</sup> February 2011 showing minor alterations to parking court gates and fenestration of houses to improve surveillance after discussions with the case officer and Police liaison officer.

Cllr Perkins – comments that he is broadly supportive of the scheme but has concerns about parking on the University side of Boughton Green Road south of the mini roundabout opposite the water tower. He requests that further double lines be placed along this stretch of road. Officer response – there are no adverse comments from the County Highway Authority to support this request and the case officer is concerned that such action is not directly related to the development proposed. A 'Grampian' condition would not meet the planning conditions circular tests and would therefore be unjustified. This request can be passed to the County Council to consider for general highway improvements.

NCC Highways – have submitted no objections subject to conditions for creating a footway next to Boughton Green Road prior to construction and highway layout. It is requested that the Committee delegate the wording of these conditions to the Head of Planning.

**ITEM 11C**

**N/2009/0785**

Outline application for the demolition of existing B8 business units and erection of 14 two bedroom and 8 one bedroom apartments, formation of new access parking areas

**172-174 St Andrews Road**

**ITEM 11D****N/2010/0906 & N/2010/0320**

Erection of two storey visitors centre at base of tower. (As amended by revised plans received 06th December 2010)

**The National Lift Tower, Tower Square**

**Letters in support of the applications** have been submitted by the applicant (1 February 2011) and agent (8 February 2011). These are appended to the Addendum for Committee's consideration.

An additional **letter of objection received from 34 Tower Square**: Committee should be aware that if permission is granted this will make it easier for the owners to apply for a future freefall experience which local residents are opposed to. This would significantly increase noise in a quiet residential area. There is no objection to a smaller scale of development but residents fear that in its current form the proposal would be highly obtrusive in their daily lives.

**ITEM 11E****N/2011/047**

Single storey front extension and conversion of garage to living accommodation

**34 Vienne Close, Duston****Enforcement Matters****ITEM 12A****E/2011/0100**

Unauthorised advertisements

**Corner of Tanner Street and St Peters Way**

Correction:

"That the Borough Solicitor be authorised to instigate prosecution proceedings in respect of the unauthorised advertisements pursuant to Section 224a of the Town and Country Planning Act 1990 (as amended) and to take any other necessary, appropriate and proportionate enforcement action pursuant to this provision within the Act in order to bring about the proper planning control of the land".

**ITEM 12B****E/2010/0689**

Unauthorised change of use and development

**The Mill Wheel Public House, Billing Brook Road**

**ITEM 12C****E/2011/0034**

Non compliance with conditions pursuant to Planning Permission  
N/2008/0811

**42-46 Kingsthorpe Grove****ITEM 12D****E/2011/0054**

Unauthorised change of use to car repairs

**10 Peverels Way****Applications For Consultation****ITEM 13****N/2010/0653**

Extension to existing food store, relocation of two shop units, erection of a community building, new bus waiting facility, provision of new pedestrian footpaths, landscape works, lighting works and revisions to the car park layout (WNDC Consultation)

**Tesco Superstore Hunsbury Centre, Clannell Road**

Sainsbury's object on the following grounds:

- There should be an overarching requirement to apply a fair and consistent approach to the consideration of corresponding foodstore applications in the Northampton area. Should the Tesco proposal be supported in its current form, this would represent a clear conflict from the approach adopted to the Sainsbury's extension proposals;
- The lack of any proper assessment of the proposals against the relevant PPS4 tests means that the principle of development cannot be supported at this stage. This is true even if Members decide to overturn the recommendation by Officers that Mereway should not be afforded designated shopping centre status;
- The scale of comparison goods floorspace within the store as proposed (3,470 sqm) exceeds that which Members imposed an absolute limit on within the extended Sainsbury's store (1,512 sqm) by some 1,958 sqm. The impacts of the additional floorspace combined with existing must be far greater (if properly assessed) than that found by Members to be the maximum level acceptable at the Sainsbury's store. If Members were minded to

support Tesco, this must be on the basis of a much reduced allowance (if any) of additional comparison goods floorspace; and

- Given the above, the potential lack of opportunity that NBC Members have been afforded to consider and assess the full implications of the proposals prior to determination by WNDC is a concern. This was considered to be an essential stage of the process as part of the Sainsbury's application.

Tesco, through their agents have submitted three sets of information:

1. 41 pro forma letters of support from members of public.
2. A retail study report by Peter Shearman Associates looking at the current retail profile of Northampton and the Tesco Mereway extension's influence over this.
3. A legal opinion from William Hicks QC that contradicts the conclusions of the report before members and argues that Mereway Centre is a District Centre in the Development Plan and thus PPS4 does not require an impact assessment in this case.

It is understood that the Peter Shearman Associates report and Counsel opinion has been sent to all members of the Committee.

The letters of support and retail study are duly noted, but neither directly relate to the content of the report before members.

The legal opinion raises matters that require further analysis and consideration by NBC officers and their advisors to ensure advice to members is robust.

**Under these circumstances officers recommend that members of the committee defer the application to allow further consideration of the information submitted.**



Mr Pete Sullivan  
National Lift Tower  
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Mr Jonathan Moore  
Planning Officer  
Northampton Borough Council  
Planning Department  
Cliftonville House  
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NN4 7NR

1<sup>st</sup> February 2011

Dear Mr Moore

I write in response to your letter dated 24<sup>th</sup> January 2011 regarding planning application reference N/2010/0906 and listed building application 2010/0320.

Tall buildings such as the tower need infrastructure in the form of outlying or attached buildings in order to support their operation. This was true when the tower was first constructed by Express Lifts and remains true today. At the time of construction, long before the site was given over to housing, operations at the tower were supported by functions provided in other buildings on the site. These functions include office space, meeting rooms, catering, security, storage and engineering services. In order for us to be able to operate the tower successfully and therefore secure it's future, we need to replace what was taken away when the site was redeveloped for housing. This is the purpose of the new building.

We agree that the new building is disproportionate to the size of the tower - it is tiny by comparison. We believe that the size of the proposed design is the minimum needed to fulfil the above requirements and could justifiably have been a lot bigger. However, inadequate space was set aside when the housing estate was erected. Even with the new building in place, we will need to look for extra storage space at other local sites.

The tower is the focal point for the lift industry in the UK and Europe and it is entirely appropriate that we should provide the necessary level of facilities for it to operate as such.

We will be happy to provide a business plan to demonstrate the necessity of a building of the scale proposed in order to secure the future of the tower. In summary, the running costs of the tower exceed £120,000 per year. In order to cover these costs and to recoup the large sums already invested in the project, the tower site needs to be run as a profitable and sustainable business. We do not believe that this is possible with the site as it is, or with a building any smaller than the one proposed.

Furthermore, we believe that this enhancement to the site will benefit the local economy with job creation, training opportunities, inward investment from Europe and knock on effects to other local businesses in the accommodation, entertainment, transport and engineering industries.

Regarding the visibility of the base of the tower from The Approach, I would argue that a large part of what defines the building as a landmark and worth conserving is its impact on the skyline of Northampton. The historic setting of the tower has already been destroyed and an inappropriately intensive housing development put in its place.

We see surrounding part of the base of the tower with a walkway as necessary in order to be able to secure all three existing entrances. As previously discussed, we are happy to incorporate transparent walls into the design. Also, surrounding the building protects it from attack by graffiti, the removal of which would permanently scar the building.

Regarding the comments on the quality of the design, we consider that the build quality of the tower itself is of a low standard and our design for the new building will add to the overall quality of the site. We are happy to look again at the design of the building and welcome suggestions to address specific concerns. However, we are not willing to spend more money on redesign only to have planning refused on the grounds that the building is too large.

We are happy to submit a Travel Plan as suggested by the Highways Authority, and will do so prior to the application being determined. In summary, our proposal is to provide a shuttle service to offsite parking owned by the council on Edgar Mobbs Way. The shuttle service will also run to the train and bus stations. This service will be operated whenever there are events on the site justifying such measures (conferences, workshops, training days etc).

We appreciate that there may be conflict over car parking spaces and would point out that the parking at the base of the tower is made available to local residents in the evenings and weekends. The arrangement is reciprocal and we have had no issue or complaints regarding traffic, parking

or any adverse impact on residents when hosting events at the tower for upwards of 50 people, all arriving by car.

We would also cite the example of McDonalds on Sixfields which has a relatively small number of parking spaces (34) to support a turnover approximately £600,000 per month whilst rarely overflowing into the cinema parking area.

In conclusion, whilst I am perfectly happy to develop the tower project and support it, it must ultimately be economically viable. I believe that the facilities which we have planned are the absolute minimum required to ensure the long term survival of the tower. Therefore if we cannot realise the full extent of the project, I will withdraw my support and concentrate my efforts on business development plans in Milton Keynes.

Yours sincerely

Pete Sullivan, Owner, National Lift Tower



0820H8Feb11  
8<sup>th</sup> February 2011.

**SANSOME  
HALL  
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Dear Mr Moore

VISITOR CENTRE, NATIONAL LIFT TOWER, NORTHAMPTON  
Ref: N/2010/0906 and N/2010/0320 (LBC)

We are in receipt of your letter dated 24<sup>th</sup> January in which you list a number of matters that need addressing. I understand that our Client, Mr Sullivan, has had a meeting to discuss your objections to the scheme as a result of which the agreed action is that the Application goes forward to Committee, possibly with a recommendation for refusal, and in the event of being refused, we will lodge an Appeal. With this in mind we would like to address the points raised in your letter as follows:-

Conservation comments:-

The claim that the Visitor Centre will have "*significant detrimental impact on the setting of the building and leads to a loss of significance for the building*" is contested. The tower is 127 metres tall whereas the proposed Visitor Centre is only 10 metres tall leaving 117 metres of the shaft of the tower in clear view. To claim that it represents a "*loss of significance*" is to deny the massive significance of a 400 foot tall concrete structure in the centre of an otherwise totally domestically scaled development.

The comment includes the statement that the Visitor Centre "*engulfs approximately two thirds of the base*". The dictionary defines "*engulf*" as "*swallow up, submerge*" neither of which, we would suggest is relevant in this case. What the new building does is to firmly attach itself in a positive and distinctive manner to a massively dominant structure so that the newly created access to the combined structures has its own identity and is clearly visible to visitors. It should be noted that the original tower has no distinct "*entrance*".

To go on to state that the proposal is "*oversized*" is again misleading – in what context is the building "*oversized*"? Our Client is addressing the commercial justification for the spaces provided as designed but we would like to remind you of the reason for having to accommodate any supporting facilities on such a constrained site. As Mr Sullivan has pointed out in his written submission which accompanied the Planning Application, the original tower was serviced by a whole range of additional accommodation spread over an extensive, surrounding site. Once the site became redundant only the Listed Tower was preserved and NBC permitted a domestically scaled residential development to go ahead while retaining only a *minimal* site for the Tower – no more than

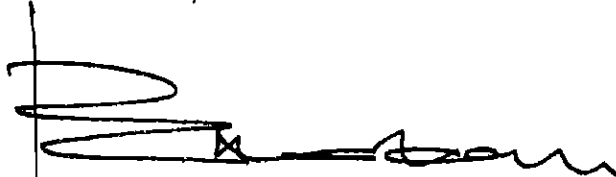
an enlarged traffic island as the centrepiece to a roundabout hemmed in on all sides by two and three storey dwellings in terraces. This short-sighted policy guaranteed that anyone trying to bring the Listed Building back into use would be compelled to accommodate the missing facilities within the irregular shaped site already dominated by the footprint of the tower itself. Given that parking, access, deliveries and new accommodation would have to be housed within this defined space, the only possible option is to concentrate the new accommodation on the widest part of the site – the approach side, thereby fixing its position and defining its relationship with the tower. We would suggest that the single most significant contribution to "the setting of the building" is not the proposed Visitor Centre but the previous acceptance of a large housing development allowed to encroach up to the base of the tower. The current proposal is aimed at rescuing the tower from this situation, not creating it.

This leads on to the Conservation comment contained in the last paragraph: *"In this instance it is not considered that the design is of sufficient quality to provide a positive contribution to the character and **local distinctiveness of the historic environment** and the details including scale, height, massing, alignment and materials have been insufficiently considered in relation to the setting of the "heritage asset".*

"Local distinctiveness" is restricted entirely to the tower itself, the historic environment having been totally destroyed by the wilful act of allowing inappropriate development right up to the foot of the tower. Any subsequent development in support of the activities within the tower is therefore restricted in position and size by the previous decisions. The scale, height, massing and alignment are therefore heavily constrained but have been **carefully** considered to produce a building complex that can sit at the foot of this dominant structure without looking insignificant. The proposal has adopted a series of curves to generate its shape with the "cogs" and materials chosen to impart an industrial rather than a residential character to the building. As there is no way that any relatively small-scale support building can "compete" with the tower, the approach taken has been to give it a precise, polished, "engineered" appearance – the exact opposite of the claim that this has been "insufficiently considered in relation to the setting".

We believe that none of the arguments raised by Conservation can be sustained and we would ask for this response to be added to the Planning file so that the counter arguments can be assessed by the Planning Committee.

Yours sincerely



Peter Hall  
SANSOME HALL ARCHITECTS

c.c. Peter Sullivan